



Notices of Exempt Rulemaking

**9. The summary of the economic, small business, and consumer impact, if applicable:**

The Department does not believe this rulemaking imposes any new or larger burdens on the educator licensees. The purpose for initiating this exempt rule package is to establish fees pursuant to A.R.S. § 32-2132, as amended by HB 2855 (revenue; budget reconciliation; 2012-2013). This act signed in 2012 by Governor Brewer gave the Department of Real Estate (“Department”) exempt rulemaking privileges until July 1, 2013. The fees authority is prescribed in A.R.S. § 32-2132.

Individuals and small businesses benefit from receiving Department approval. This approval indicates to the industry that the individual or course is in compliance with State standards. The Department has never charged fees for approval applications. Each approval application takes considerable personnel time to review, process, and complete in a timely fashion. For example, distance learning courses can take a Department employee up to two and a half hours to review and complete on the computer.

**10. A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and the final rulemaking package (if applicable):**

Not applicable

**11. An agency summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:**

Not applicable

**12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not limited to:**

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

None

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

The rules are promulgated under state law.

**c. Whether a person submitted an analysis to the agency that compares the rule’s impact of the competitiveness of business in this state to the impact on business in other states.**

None

**13. A list of any incorporated by reference material and its location in the rule:**

There is no material incorporated by reference in these rules.

**14. Whether the rule was previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:**

Not applicable

**15. The full text of the rules follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 28. STATE REAL ESTATE DEPARTMENT**

**ARTICLE 1. GENERAL PROVISIONS**

Section

R4-28-105. Educator Fees

**ARTICLE 1. GENERAL PROVISIONS**

**R4-28-105. Educator Fees**

Any individual applying for a certificate of approval or renewal to operate a school, instructor or other school official approval or renewal, live classroom prelicensure education course approval or renewal, live classroom continuing education course approval or renewal, and continuing education distance learning course approval or renewal pursuant to A.R.S. § 32-2132 shall submit the applicable fees to the Department.